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THE ANDHRA PRADESH GAZETTE
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G.267

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**COLLECTOR & DISTRICT MAGISTRATE,
ANANTHAPURAMU**

R.Dis.No.MC3/1678/2020.

Dt. 26.08.2021

CASTE CERTIFICATES - ANANTHAPURAMU DISTRICT - YELLANUR MANDAL -
Sri P. NAGARAJU S/o BALAIAH - KAMMARA (ST) CASTE CERTIFICATE -
W.P.No.25647 OF 2009 AND W.P.No.414 OF 2020 FILED BY THE
PETITIONER BEFORE THE HON'BLE HIGH COURT OF ANDHRA PRADESH -
REPORT RECEIVED FROM THE COLLECTOR & DISTRICT MAGISTRATE,
EAST GODAVARI AS PER THE ORDERS OF THE HON'BLE HIGH COURT -
CASE PLACED BEFORE THE D.L.S.C, ANANTHAPURAMU FOR HEARING -
ENQUIRY CONDUCTED - CONFIRMATION OF KAMMARA (ST).

* * *

- Read:-
1. The Director (D&HRD), AP Transco Limited Hyderabad, Lr.No.GM(P)/DSP/AS(P)/PO-I/A1/53/2000, Dated:29-05-2000.
 2. The Collector & District Magistrate, Ananthapuramu Proceedings Rc.No.MC3/774/2000, Dated: 25-07-2006.
 3. G.O.MS.No.20, Social Welfare (CV.2), Dated:11.02.2008.
 4. Hon'ble High Court of Andhra Pradesh Orders in W.P.No.25647 of 2009, Dated: 14.06.2013.

5. This office Rc.No.MC3/513/2010, Dated: 12.07.2013 addressed to the District Collector, East Godavari District, Kakinada.
6. Rc.No.C5/29/2019, Dated: 10.10.2019 of the District Collector, East Godavari District, Kakinada.
7. Hon'ble High Court of Andhra Pradesh Order in W.P.No.414 of 2020, Dated:21.01.2020.
8. This office Lr.Rc.No.1678/MC3/2020, Dated:02.07.2020 addressed to the Collector & District Magistrate, East Godavari, Kakinada.
9. Report furnished by the Collector & District Magistrate, East Godavari, Kakinada Lr.File No.REV-CSEC0MIS(MIS)/238/2020-SA(C5)-CLO-EG, Computer No.317857, Dated:22.07.2020.
10. Note orders of the Joint Collector & Chairman, DLSC, Ananthapuramu Dated:01.12.2020
11. This office Notice to the petitioner and letter to the DLSC Members Rc.No.MC3/1678/2020, Dated: 03.12.2020
12. Statement of Sri Paidipala Chandra Sekhar S/o Balaiah B/o Late P. Nagaraju (Petitioner) on 05.12.2020.
13. Findings of the DLSC, Ananthapuramu, Dated:30-01-2021.

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ORDER:

In the reference 1st read above, an allegation petition has been received through the Director (D&HRD) AP TRANSCO Department, Hyderabad alleging that one Sri P. Nagaraju S/o P. Balaiah resident of Singavaram Village, of Yellanur Mandal has obtained fraudulent caste certificate as "KAMMARA – ST" from the then Mandal Revenue Officer, Yellanur and secured employment as Trainee Assistant Engineer (Electrical) in AP Transco Department during the year 07/1999 against the backlog post reserved for STs.

The case was referred to the District Level Scrutiny Committee, Ananthapuramu. After the findings and recommendations of the Committee, the then Collector & District Magistrate, Ananthapuramu has cancelled the "KAMMARA – ST" Caste Certificate vide Proceedings Rc.No.MC3/ 774/2000 dated:25.07.2006 in the reference 2nd cited under sub rule 9 of A.P. SC, ST & BCs – Issue of Community, Nativity and Date of Birth Certificate Rules, 1997 (G.O.Ms.No.58 S.W(J), Dept,

Dated:12.05.1997) read with u/s 5(1) of A.P SC, ST & BCs Regulation of issue of Community Certificates Act.

Aggrieved with the orders of the Collector & District Magistrate, Ananthapuram passed in Rc.No.MC3/774/2000 dated:25.07.2006, Sri P. Nagaraju S/o P. Balaiah has filed an appeal before the Government of AP.,. The Government of AP after conducting enquiry in their orders in G.O.MS.No.20 Social Welfare (CV.2) Department, dated:11.02.2008 has rejected the appeal upholding the proceedings of the Collector & District Magistrate, Ananthapuramu, RC.No.MC3/774/2000, dated:25.07.2006.

Again aggrieved with the orders of the Government of AP., passed in in G.O.MS.No.20 Social Welfare (CV.2) Department, dated:11.02.2008, Sri P. Nagaraju S/o P. Balaiah has filed writ petition in W.P.No.25647 of 2009 before the Hon'ble High Court of Andhra Pradesh.

The Hon'ble High Court of A.P., Hyderabad in the reference 4th cited, the Hon'ble High Court of AP., Hyderabad has disposed off the writ petition in W.P.No.25647 of 2009, dated:14-06-2013 has passed the following orders:

"As regards the plea of the respondents that the Mandal Revenue Officer should not have issued Schedule Tribe caste certificate to the petitioner as only officers not below the rank of Revenue Divisional Officer are competent to issue the same is concerned, the real issue in the matter is whether the petitioner belongs to "Kammara" community and is entitled to Scheduled Tribe status or not. If the petitioner did belong to "Kammara community and is entitled to the Scheduled Tribe status he cannot be denied the said benefit merely on the ground that the caste certificate was issued to him by a Mandal Revenue Officer. The provisions of Constitution of India providing for reservations in education and employment to the persons belonging to the Schedule Caste, Schedule Tribe and Backward Class communities cannot be allowed to be defeated by such technical pleas.

Therefore, the order of the 3rd respondent (Collector & District Magistrate, Ananthapuramu) in proceedings Rc.No.MC3/774/2000 dated: 25.07.2006 as confirmed by the 1st respondent (The Govt. of A.P. representation by its Secretary, Social Welfare (C.V.2) Department) in G.O.MS.No.20, Social Welfare (C.V.2)

Department dated:11.02.2008 is set aside. The matter is remitted back 3rd respondent i.e., Collector & District Magistrate, Ananthapuramu to consider afresh as to whether the petitioner belongs to "Kammara" community and is entitled to be considered as Schedule Tribe. The 4th respondent (District Collector, East Godavari, Kakinada) shall forthwith send the report to the 2nd (DLSC, Ananthapuramu) and 3rd respondent as to the status of the petitioner's relatives in East Godavari District which shall be considered by the 3rd respondent."

As per the orders of the Hon'ble High Court of A.P. in W.P.No.25647 of 2009 dated:14.06.2013, the District Collector, East Godavari, Kakinada has been requested in the reference 5th read above to furnish the report relating to caste status of the petitioner's relatives in East Godavari District to take further action.

The District Collector, East Godavari in the reference 6th cited has reported that, the relationship in between Sri P. Nagaraju and the persons said to be relatives of Sri P. Nagaraju of Rajavommangi Mandal are not able to known and the relationship between the relatives and the petitioner Sri P. Nagaraju could not traced out.

The Revenue Divisional Officer, Rampachodavaram in his report in Ref/E/1155/2002 dated:30.11.2015 has submitted report to the District Collector, East Godavari District @ Kakinada duly reporting that, Sri Bennoji Dongabbai is close relatives of Paidipala Nagaraju S/o Balaiah is the brother-in-law is also Kammara by caste Smt. Baloji Veeramma W/o Gangaraju is also Kammara by caste Sri Paidipala Nagaraju S/o Balaiah is Kammara by caste and he is having close relatives at Maredubaka village of Rajavommangi Mandal. Long back they are living at Thotapalli village of Prathipadu Mandal and they left the village, seeking lively hood they migrated their family to Ananthapuramu District. Finally he reported that Sri Paidipala Nagaraju S/o Balaiah is belongs to "Kammara" Community.

The Joint Collector, East Godavari, Kakinada has instructed to the Revenue Divisional Officer, Rampachodavaram Division to conduct personal enquiry on representation of Sri P. Nagaraju and submit detailed report within a week, and she conducted personal enquiry at Maredubaka village of Rajavommangi Mandal along With Tahsidlar, Rajavommangi and enquired villagers and family members of Sri Chedala Suryanarayana, Smt. Baloji Veeramma, Sri Bennoju Dongabbai and Chedala Krishna and all are Kammara Caste people they are follow their customs and traditions and festivals and surname of Chedala, Baloji, Chittoji, Korrapu, Mampa, Bennoju is very popular in ST Community, and her enquiry reveals that the Sri Chedala Suryanarayana, Smt. Balojij Veeramma, Sri Bonneju Dongabbai and Chedala Krishna is belongs to Kammara (ST) Community People".

Basing on the reports of the District Collector, East Godavari, Kakinada and the report of Revenue Divisional Officer, Rampachodavaram Division, East Godavari Kakinada the petitioner Sri P. Nagaraju, S/o Balaiah has again filed writ petition in W.P.No.414 of 2020 before the Hon'ble High Court of Andhra Pradesh as the Report of the District Collector, East Godavari is contrary to the report of the Revenue Divisional Officer, Rampachodavaram.

The Hon'ble High Court of A.P., Amaravathi has disposed off the W.P.No.414 of 2020 dated:21.01.2020 has passed the following orders.

"As seen from the order impugned in the writ petition, it is a communication between District Collector, East Godavari District at Kakinada and District Collector, Ananthapuram, passing certain information. The impugned proceedings is only an inter departmental communication between two Collectors in Revenue Department, the same cannot be said to be an order, though copy of it is marked to petitioner, in view of judgment reported in Messrs. Ghaio Mal and sons v. State of Delhi and others. Therefore, interdepartmental proceedings cannot be set aside, while exercising power of judicial review under Article 226 of Constitution of India.

In any view of the matter, 5th respondent (Revenue Divisional Officer, Rampachodavaram, East Godavari District) submitted report to 4th respondent (District Collector, East Godavari District, Kakinada), but 4th respondent without considering the report of 5th respondent, submitted different information to District Collector, Ananthapuram which is totally contrary to report submitted by 5th respondent. However, 3rd respondent (Collector & District Magistrate, Ananthapuram) has to pass appropriate order, considering the reports submitted by respondent Nos.4 and 5, in accordance with law, but no final decision was taken by third respondent so far. Therefore, without setting aside the impugned proceedings which is interdepartmental proceedings between to Collectors in Revenue Department, I deem it appropriate to issue direction to third respondent i.e., Collector & District Magistrate, Ananthapuram, to dispose of pending appeal on remand by this Court as per orders in W.P No.25647 of 2009, as expeditiously as possible, in any event, not later than three (3) months from the date of receipt of copy of this order, in accordance with law".

As per the orders of the Hon'ble High Court of A.P., Amaravathi in the reference 8th read above, the District Collector, East Godavari, Kakinada has requested to furnish the detailed enquiry report without contrary between the report of the

District Collector, East Godavari, and the Revenue Divisional Officer, Rampachodavaram subject to status of the petitioners relatives in East Godavari District, Kakinada as expeditiously as possible, duly enclosing the orders of the Hon'ble High Court in W.P.No.414 of 2020 dated:21.01.2020.

In the reference 9th read above, the Collector & District Magistrate, East Godavari, Kakinada has furnished the report as follows:-

- Sri Chedala Suryanarayan and Chedala Krishna S/o Atchiraju residents of Maredubaka Village of Rajavommangi Mandal who belongs to Kammara (ST) caste have stated that Paidipala Nagaraju S/o Balaiah is their cousin brother, that Paidipala Balaiah father of the petitioner is their uncle and he belongs to "Kammara ST" Caste.
- Sri Bennoji Dongabbai, resident of Maredubaka Village of Rajavommangi Mandal who belongs to Kammara (ST) caste has also stated that the petitioner is his brother-in-law and he belongs to "Kammara Caste" and he is having close relatives at Maredubaka village.
- The then Mandal Revenue Officer, Rajavommangi reported that the petitioner is having close relatives at Maredubaka village of Rajavommangi Mandal, long back, they live at Thotapalli village of Prathipadu Mandal and they left the village long back, seeking livelihood and they migrated to Ananthapuramu district and reported that the petitioner's relatives belongs to "Kammara ST" Caste.
- Further reported that, during the personal enquiry of the then Revenue Divisional Officer, Rampachodavaram along with Tahsildar Rajavommangi Mandal enquired the villagers and family members of Sri Chedala Suryanaraya, Chedala Krishna, Sri Bennoju Dongabbai and Smt. Baloji Veeramma all are Kammara (ST) caste people and they are following customs and traditions and festivals and surnames of Chedala, Baloji, Chittoji, Korrapu, Mampa and Bennoji are very popular in ST Community.
- Finally the Collector & District Magistrate, East Godavari, Kakinada has reported that, during the enquiry it is revealed that the petitioner's relatives in East Godavari District are belongs to Kammara Caste which comes under Schedule Tribe.

In view of the orders of the Hon'ble High Court of Andhra Pradesh, passed in W.P No.25647 of 2009 dated:14.06.2013 and in W.P.No. 414 of 2020, dated:21-01-2020, Notice (Form-VII) has been issued to Sri P. Nagaraju S/o Balaiah directing to attend before the District Level Scrutiny Committee, Ananthapuramu on 09.10.2020 at 10.30 at Collectorate, Ananthapuramu for final hearing and a letter also addressed to the DLSC Committee members to attend the meeting. Accordingly the DLSC Committee members were attended to the DLSC Meeting. One Smt. P. Vara Lakshmi W/o late P. Nagaraju and P. Chandra Sekhar B/o late P. Nagaraju were appeared instead of the petitioner before the Joint Collector/Chairman, DLSC, Ananthapuramu and produced the Death Certificate of late P. Nagaraju S/o Balaiah duly stating that he died on 08.09.2020 due to COVID-19 Positive. Therefore, the DLSC Committee enquired to Smt. P. Vara Lakshmi W/o late P.Nagaraju and P. Chandra Sekhar B/o late P. Nagaraju on their "Kammara" caste.

As the petitioner late P. Nagaraju S/o P.Balaiah died, his brother of Sri Paidipala Chandra Sekhar was attended for enquiry and given his statement duly stating that, he is the resident of D.No.6-55, Nallapareddypalli, Pulivendula Mandal, Kadapa District and they are residing in this address since 40 years i.e., from 1977 to till date. His parents Paidipala Balaiah and P. Aswarthamma (died) are having three sons namely 1. P.Nagaraju, 2. P. Chandra Sekhar, 3. P. Siva Shankar, and his brother P.Nagaraju (Petitioner) died due to Covid-19 on 08.09.2020. Further he has stated that, his Sister-in-law Smt. Varalakshmi W/o late P. Nagaraju was the resident of Hubli District, Karnataka State and they are belongs to "Kammara" ST Caste, and he married at Singavaram Village, Yellanur Mandal, Ananthapuramu District. They are in possession of the land belongs to Government at Yerraballi Village, Pulivendula Mandal for that they have not obtained any Pattadar Pass Book.

Further with regards about his customs and traditions, he has stated that their food habits are that, they are in consumption of non-vegetarian including Beef and Pork meat and their relatives are residing at Maredubaka village of Rajavommangi Mandal, East Godavari District and their surnames are 1. Chedala; 2.Paidipala. They worship 1.SunkammaDevatha; 2.GangalammaDevatha; 3.JakiriDevatha, and they celebrate festivals 1. "Gangalamma Panduga" 2. "Modati Panduga".

While enquiring about his education, he has stated that he has studied upto SSC. All his studies is at Nallappareddypalli Village, Pulivendula Mandal, Kadapa District at elementary and High schools and he said before the committee that he will furnish his "Transfer Certificate".

Further he has stated that, his father was constructed own house in the year 1977 at Nallappareddypalli Village, Pulivendula Mandal, Kadapa District and his father got married at Singavaram Village, Yellanur Mandal, Ananthapuramu District. His brother late P.Nagaraju was worked as Assistant Engineer in Electricity Department for a period of five (05) years at Guntakal. Finally he has informed that he will submit the Transfer Certificates of his Sister-in-law Smt. Varalakshmi W/o late P. Nagaraju.

In this connection, Smt. Varalakshmi W/o late P. Nagaraju has submitted her "Leaving Certificate" issued by Railway School (English Medium) Hubli, Admission vide No. 5216 LC No. 527 noting her Religion, caste (with sub caste) as Hindu ST Kammara.

Finally in the reference 13th read above, the Joint Collector & Chairman, DLSC Ananthapuramu has opined that, after perusing the material available on record and the factual report received from the District Collector, East Godavari, it can be concluded that petitioner belonged to Kammara - ST Caste.

In view of the above, the averments of the report received from the District Collector, East Godavari is clearly proved that, the relatives of late P. Nagaraju S/o P. Balaiah are belongs to Kammara-ST Caste and on verification of the records produced during the time of enquiry conducted by the D.L.S.C., I have no hesitation to accept the recommendations of the District Level Scrutiny Committee and I am of the opinion that, late P. Nagaraju S/o P. Balaiah resident of Singavaram Village of Yellanur Mandal of Ananthapuramu district belongs to the Caste and Community of Kammara - ST.

In exercise of the powers conferred under Section 5 (1) of A.P. (SC/ST/BC) Regulation of issue of Community Certificates Act, 16/93 read with para 7 of G.O.Ms.No.58, dated:12.05.1997, I, Ms. Nagalakshmi. S, I.A.S., Collector & District Magistrate, Ananthapuramu do hereby declare that late P. Nagaraju S/o P. Balaiah resident of Singavaram Village of Yellanur Mandal of Ananthapuramu district of Andhra Pradesh State belongs to Kammara - ST caste.

NAGALAKSHMI. S,
*Collector & District
Magistrate, Ananthapuramu.*

To,

Smt. Varalakshmi W/o Late P. Nagaraju, resident of Singavaram Village of Yellanur Mandal, Ananthapuramu district through the Tahsildar, Yellanur. (The Tahsildar, Yellanur should serve the order copy on the individual and submit the served copy to this office for necessary action (BY RPAD)).

NOTIFICATION

In view of the recommendations of the District Level Scrutiny Committee and in exercise of powers conferred under section 5 (i) of the A.P. (SC/ST/BC) Issue of community certificate Act 16/1993 r/w Sub-Rule (7) of Rule 9 of A.P. (SC/ST/BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997 communicated vide G.O.Ms.No.58, Social Welfare (J) Department, Dt: 12-5-1997, the caste of late P. Nagaraju S/o P. Balalah resident of Singavaram Village of Yellanur Mandal of Ananthapuramu District is confirmed as Kammara - ST and it is declared that, the individual comes under Scheduled Tribe (Kammara) community.

NAGALAKSHMI. S,
Collector & District Magistrate,
Ananthapuramu.

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